

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

T.F., an individual,

Plaintiff,

vs.

DRASHTI LANCASTER LLC., d/b/a ECONO
LODGE AMISH COUNTRY,

Defendant

CIVIL ACTION NO:

**PLAINTIFF'S COMPLAINT AND JURY
TRIAL DEMANDED**

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW the Plaintiff T.F., by and through the undersigned counsel, and respectfully submits her complaint for damages and makes the following averments.

INTRODUCTION

1. This action for damages is brought by T.F. ("Plaintiff"), a survivor of sex trafficking, under the Federal William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 ("TVPRA"), 18 U.S.C. § 1595, as well as per any state laws as may be identified herein.

2. Drashti Lancaster LLC, d/b/a/ Econo Lodge Amish County ("Defendant") was a hotel owner, hotel operator, franchisee, manager, and/or supervisor of the subject premises and subject hotel located at 2165 E Lincoln Hwy, Lancaster, PA 17602 during the relevant time period, and prior thereto, and as such was/is responsible, for the subject hotel doing business as the Econo Lodge Amish Country during time period Plaintiff was sex trafficked on said premises.

1 3. During the relevant time period Defendant was owner of the subject premises located at
2 2165 E Lincoln Hwy, Lancaster, PA 17602.

3 4. Sex trafficking is defined under 22 U.S.C. § 7102 (11) as “The recruitment, harboring,
4 transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a
5 commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or
6 in which the person induced to perform such an act has not attained 18 years of age.”
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8 5. Plaintiff meets the definition of a sex trafficking victim as she was induced by force,
9 fraud, and coercion by her trafficker(s) to engage in commercial sex at the subject hotel.

10 6. Plaintiff was psychologically and/or physically prohibited from escape from her
11 trafficker(s).
12

13 7. Plaintiff is a victim as set forth in the TVPRA as she was induced to engage in
14 commercial sex by her trafficker(s) by force, threats, and coercion at the subject hotel.

15 8. The Trafficking Victims Protections Reauthorization Act ("TVPRA") provides a civil
16 remedy for victims of a violation of the act.
17

18 9. Specifically, section 1595 of the TVPRA provides that "[a]n individual who is a victim
19 of a violation of this chapter may bring a civil action against the perpetrator (or whoever
20 knowingly benefits, financially or by receiving anything of value from participation in a venture
21 which that person knew or should have known has engaged in an act in violation of this chapter)
22 in an appropriate district court of the United States and may recover damages and reasonable
23 attorney's fees." 18 U.S.C. § 1595.
24

25 10. As it pertains to the subject hotel, Plaintiff was sex trafficked at the aforesaid hotel by
26 her trafficker(s), as relevant to allegations brought herein, beginning in 2012 and through 2015.

27 11. Sex trafficking had occurred at this subject hotel dating back to at least 2012 and, upon
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1 information and belief, prior thereto.

2 12. As a hotel operator, Defendant controlled the training, policies, and decisions on
3 implementation and execution of anti-trafficking policies, protocol, rules and guidelines for its
4 subject property where Plaintiff was trafficked.

5 13. Sex trafficking is prevalent at hotels and motels throughout the United States and
6 globally due to many factors, including but not limited to, ease of access for buyers, the ability to
7 pay in cash (non-traceability), the ability to maintain some level of anonymity, privacy and
8 discretion.
9

10 14. At all material times, upon information and belief, Defendant had knowledge of the
11 prevalence of sexual trafficking within the hotel industry, yet Defendant failed to prevent and/or
12 take steps to prevent this trafficking from occurring at the subject hotel, so that Defendant could
13 continue earning a profit.
14

15 15. As part of their knowledge of sex trafficking, Defendant knew or should have known that
16 sex trafficker(s), or 'pimps', use drugs, threats, violence, manipulation, lies, debt bondage, and
17 other forms of coercion to compel adults and children to engage in commercial sex acts against
18 their will on hotel premises.
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20 16. Plaintiff's sex trafficker(s) deliberately selected the Defendant's hotel as a venue to
21 conduct their sex trafficking activities.

22 17. The passage of the TVPRA in 2008 as well as numerous other legislative initiatives, put
23 the Defendant on notice of the high likelihood of these illegal acts occurring on the subject hotel
24 premises which, at a minimum, warranted them to be even more vigilant and proactive in
25 preventing this conduct.
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27 18. Defendant participated in a venture by operating a hotel that rented rooms to individuals
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1 that Defendant knew or should have known were involved in sex-trafficking pertaining to
2 Plaintiff.

3 19. The rental of a hotel room constitutes a financial benefit from a relationship with the
4 trafficker sufficient to meet “financially benefitted” element of the §1595(a) standard.

5 20. Defendant, as the owner, operator, manager, controller, and/or franchisee, of the subject
6 hotel, knew or should have known, based on a combination of well-documented indicators, that
7 sex trafficking and other criminal activity was occurring, and would continue to occur, at the
8 subject hotel as a result of their misfeasance and nonfeasance.

9 21. A hotel can deny accommodation and/or eject a guest for a number of reasons
10 including, but not limited to, (1) guest visibly under the influence of drugs and/or alcohol, (2)
11 guest creating a nuisance to the public; (3) guest believed to use a hotel room for unlawful
12 purposes, (4) guest uses hotel amenities and premises for unlawful acts, (5) guest brings in extra
13 unregistered guests, (6) guests behavior reasonably disturbs other guests (7) guest violates other
14 rules set by the hotel and (8) for other indicated reasons.

15 22. Upon information and belief, years before Plaintiff was trafficked, Defendant knew or
16 should have known of the critical role that the hotel industry plays in enabling the sex trade
17 industry and of the widespread national epidemic of hotel/motel sex trafficking.

18 23. Training of front-line hotel employees to be alert to red flags of trafficking activity is
19 imperative and a best practice of hotel operating companies. Sex traffickers utilizing hotels within
20 which to operate their illegal enterprises was well known within the industry by 2011. By 2012,
21 training guides and videos were available through the American Hotel Lodging Association
22 (AHLA) and ECPAT-USA and via other resources.

23 24. At all material times, Defendant, individually and/or by their respective actual or apparent
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1 agents, operators, servants, and/or employees, aided, concealed, confined, benefitted and profited
2 from sex trafficking and other criminal activity that was occurring at the subject hotel, including
3 as to Plaintiff.

4 25. At all material times, Defendant, individually and/or by their actual or apparent agents,
5 operators, servants, and/or employees, harbored sex trafficker(s) at the subject hotel and/or failed
6 to rectify the foreseeable risks of sex trafficking and other criminal activity that were occurring
7 and would continue to occur at the subject hotel.
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9 26. At all material times, Defendant, individually and/or by their respective actual or
10 apparent agents, operators, servants, and/or employees, failed to take steps to prevent dangerous
11 conditions from existing at the subject hotel, failed to ensure the subject hotel was safe and secure
12 from criminal conduct and failed to report suspicious conduct, such as sex trafficking, at the
13 subject hotel.
14

15 27. As a result of Defendant's failure to act and Defendant's negligent operations as outlined
16 in the Complaint, Defendant allowed the subject hotel to be a premises for the carrying out of sex
17 trafficking of this Plaintiff.
18

19 28. While Defendant profited from the room occupancy at the subject hotel, which included
20 rental fees, increased property value, food and beverage sales on site and/or ATM fees, Plaintiff
21 was being exposed to continuous and repeated dangerous conditions at the subject hotel as a sex
22 trafficked victim that resulted in her confinement, bodily injuries, being exploited sexually,
23 emotional distress, mental harm and anguish and conscious pain and suffering on the subject
24 premises.
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26 29. Before and during this period of trafficking as alleged herein during 2012 and through
27 and inclusive of 2015, Defendant was on notice of the prevalence of sex trafficking at the subject
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1 hotel as well as at similarly situated hotels within the subject location and its general vicinity, and
2 Defendant failed to take adequate steps that would have prevented its occurrence.

3 30. Before and during the relevant period Defendant failed to implement sufficient educational
4 and training programs on sex trafficking within their business chain of command, as well as failed
5 to implement policies for preventing, identifying, reporting, documenting, investigating, and
6 stopping sex trafficking at the subject hotel.
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8 31. During the relevant time period of trafficking as alleged herein during 2012 and through
9 and inclusive of 2015, Defendant knew or should have known that Plaintiff was being trafficked
10 at the subject hotel and Defendant failed to act upon the obvious and overt signs alerting them to
11 the crimes taking place at this subject hotel.
12

13 32. Plaintiff brings this action for damages against Defendant. Defendant, in violation of the
14 TVPRA, knowingly benefited from a venture that they knew, or should have known, to be
15 engaging in sex trafficking in violation of 18 U.S.C. § 1591(a) and (b), and who enabled, harbored,
16 facilitated or financially benefited, or any combination of the foregoing, from a sex trafficking
17 venture in which Plaintiff was trafficked for sex, sexually exploited, and victimized in violation
18 of the TVPRA.
19

20 33. Had the Defendant timely and properly implemented policies and procedures common
21 and reasonably accepted in the hospitality industry concerning anti-trafficking, safety and security
22 it is more likely than not that the injuries suffered by the Plaintiff at the subject hotel would have
23 been prevented or mitigated.
24

25 34. Defendant knowingly benefitted financially by receiving things of value by means of
26 operating a hotel and renting rooms to trafficker(s) (or members of their entourage) and said
27 Defendant knew or should have known said traffickers were engaged in an act in violation of the
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1 subject TVPRA chapter pertaining to Plaintiff.

2 35. Defendant knew or should have known of the ongoing criminal enterprises of sex that
3 had been conspicuously operating in the subject hotel.

4 36. As a direct and proximate result of Defendant's willful blindness, negligence, facilitation,
5 misfeasance, nonfeasance and/or consistent refusals to prevent sex trafficking at the subject hotel,
6 the Plaintiff was drugged, malnourished, beaten, sex trafficked, sexually exploited, physically
7 abused, mentally abused, and victimized repeatedly at this subject hotel.
8

9 37. Plaintiff is a victim as set forth in the TVPRA as, during relevant time period herein,
10 she was induced to engage in commercial sex by her trafficker(s) by fraud, force and coercion at
11 the subject hotel.
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13 38. Due to the failure of Defendant to timely and properly embrace and implement anti-
14 trafficking policies and practices, Plaintiff was repeatedly abused, victimized, and trafficked for
15 sex. Defendant ignored open and obvious indications of sex trafficking that enabled Plaintiff's
16 trafficker(s) to use the subject hotel to traffic Plaintiff and likely other victims without
17 repercussion.
18

19 **JURISDICTION AND VENUE**

20 39. This Honorable Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331
21 because this action arises under the Constitution, laws, or treaties of the United States, namely
22 the TVPRA 18 U.S.C. § 1595 and this Court has supplemental jurisdiction over Plaintiff's claims
23 that do not arise under federal law because each claim is, "so related to claims in the action within
24 [this Court's] original jurisdiction that they form part of the same controversy under Article III of
25 the United States Constitution." 28 U.S.C. § 1367(a).
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1 40. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because a substantial part of
2 the events or omissions giving rise to the claims asserted in this action occurred in the judicial
3 district where this action was brought, and Defendant conducts business within this District
4 pursuant to 28 U.S.C § 1391(b).

5 **PARTIES**

6
7 41. At all times relevant and material to the sex trafficking alleged herein, Plaintiff was
8 residing in the Commonwealth of Pennsylvania.

9 42. Plaintiff is currently a resident of the State of California.

10 43. Plaintiff was born in January 1996.

11 44. Plaintiff is a “victim” of sex trafficking as protected under applicable provisions of the
12 TVPRA.
13

14 45. Plaintiff was trafficked at this subject hotel both as a minor and adult.

15 46. Due to the sensitive, private, and potentially retaliatory nature of the allegations herein,
16 Plaintiff’s name and address are not contained in this Complaint to protect the privacy and identity
17 of Plaintiff who incurred injuries and damages when being exploited by sex traffickers on the
18 premises of the subject hotel. Nationwide, similarly situated plaintiffs have proceeded by
19 pseudonym or by their initials due to the foregoing.
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21 47. As it pertains to this Defendant, and in particular the allegations brought herein, Plaintiff
22 was sex trafficked at the “subject hotel” located at 2165 E Lincoln Hwy, Lancaster, PA 17602 in
23 2012, 2013, 2014, 2015; part of this time Plaintiff, who was born in January 1996, was a minor.
24

25 48. At all relevant and material times, Defendant Drashti Lancaster LLC., was doing business as
26 Econo Lodge Amish Country located at 2165 E Lincoln Hwy, Lancaster, PA 17602, and, upon
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1 information and belief, were authorized to do, licensed to do, and were doing business in the
2 Commonwealth of Pennsylvania offering the subject hotel as a place of public lodging.

3 49. At all material times to this complaint, Defendant was, by and through their agents,
4 servants, staff and/or employees, the owner, operators, managers, supervisors, controllers and
5 innkeepers of the hotel, doing business as, the Econo Lodge Amish Country located at 2165 E
6 Lincoln Hwy, Lancaster, PA 17602.
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8 **SEX TRAFFICKING UNDER FEDERAL LAW**

9 50. The requirements for liability under TVPRA, 18 U.S.C. § 1595 on a beneficiary theory
10 can be stated as follows: (1) the person or entity must “knowingly benefit, financially or by
11 receiving anything of value,” (2) from participating in a venture, (3) that the “person knew or
12 should have known has engaged in an act in violation of this chapter.” 18 U.S.C. § 1595(a).
13

14 51. Sex trafficking is defined by the TVPRA under 22 U.S.C. § 7102, as “the recruitment,
15 harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the
16 purposes of a commercial sex act and in which the commercial sex act is induced by force, fraud,
17 or coercion or in which the person induced to perform such act has not attained 18 years of age.”
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19 52. Sex trafficking ventures are prohibited by federal criminal law under the already existing
20 crimes 18 U.S.C. § 1589 and §1590.

21 53. Thus, while the complete definition of ‘sex trafficking’ is found in the TVPRA under
22 22 U.S.C. § 7102, and it is specifically prohibited under 18 U.S.C. §1591, it is nevertheless a
23 long-recognized and familiar atrocity.
24

25 54. Pursuant to 18 U.S.C. §1591(a) and (b), all who knowingly provide or obtain commercial
26 sex that was provided or obtained through force, fraud, and coercion or from a person under the
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1 age of 18 years old are guilty of sex trafficking. This includes, at a minimum, both the ‘traffickers’
2 who recruit, harbor, transport, and provide individuals for forced commercial sex work and the
3 ‘Johns’ or ‘buyers’ who obtain, solicit, or patronize forced commercial sex work.

4 55. Due to the failure of the hospitality industry to address the issue, hotels are the venue of
5 choice for sex trafficking.
6

7 **DEFENDANTS DUTY OF CARE TO PATRONS**

8 56. In the Commonwealth of Pennsylvania, hotels are “innkeepers” and owe patrons a special
9 duty of care.

10 57. The subject hotel is a public lodging establishment.

11 58. Defendant operated, managed, supervised, controlled, leased and/or is otherwise
12 responsible for the subject hotel for the purpose of making a profit for the relevant time period in
13 question. The premises of the subject hotel includes a common space and private rooms as well
14 as a parking lot that abuts to a sidewalk and/or land, and, at all material times, Defendant had
15 possession, custody, or control of these common spaces, private rooms, parking lots and any
16 sidewalk and/or land abutting thereto as it applies to their business of providing public lodging at
17 the subject hotel.
18

19 59. Aside from their special duty to patrons and guests at the subject hotel, such as Plaintiff at
20 all material times, Defendant had one of the highest obligations to protect their guests from known
21 or anticipated dangers, which includes sex trafficking and illegal enterprises.
22

23 60. At all relevant times, Defendant was aware of and/or should have been aware of their
24 roles and responsibility in sex trafficking.
25

26 **A. DEFENDANT’S KNOWLEDGE OF THE PREVALENCE OF SEX TRAFFICKING**

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28

AT THE SUBJECT HOTEL AND THEIR PARTICIPATION.

61. At all relevant and material times, Defendant, as owner, operators, managers, supervisors, controllers and/or entity otherwise responsible for the subject hotel, knew or should have known that their hotel offered a level of anonymity and a level of non-traceability, making them ideal venues for crime, drugs and sex trafficking in particular.

62. At all relevant and material times, Defendant, as owner, operators, managers, supervisors, controllers and/or entity otherwise responsible for the subject hotel knew or should have known that hotels are the top-reported venue where sex trafficking acts occur and that traffickers were using the subject hotel as a hub for their sexual trafficking operations.

63. At all material times, Defendant, as owner, operators, managers, supervisors, controllers and/or entity otherwise responsible for the subject hotel knew or should have known that trafficker(s) were harboring victims, including Plaintiff, at the subject hotel, and were forcing them to engage in sex services, wherein buyers (“Johns”) would come to the hotel to purchase sex.

64. At all relevant and material times, Defendant, individually and/or by and through their actual or apparent agents, servants, franchisees and/or employees, witnessed manifestations of sex trafficking and commercial exploitation taking place at the subject hotel through various indicators that trafficker(s) and their victims exhibit during their stay at the subject hotel.

65. At all relevant and material times, Defendant, was on notice of repeated incidences of sex trafficking occurring on the subject hotel premises, yet they failed to take the necessary actions to prevent sex trafficking from taking place and in particular, the sex trafficking of Plaintiff.

66. At all relevant and material times, Defendant knew or should have known that “pimps,” “johns” and/or sex trafficker(s) used the subject hotel to facilitate the trafficking of women for sex, including but not limited to Plaintiff.

1 67. Defendant had the knowledge, ability, and the greatest reach to prevent, identify and
2 thwart sexual exploitation, including that of Plaintiff, at this subject hotel.

3 68. Multiple statutes and initiatives starting in 1997, have informed, mandated, called for, and
4 suggested hotel operators, managers, supervisors, controllers and/or staff, including the
5 Defendant, to implement effective safeguards to mitigate the risk that sex trafficking will occur at
6 or involve their premises and personnel, including the subject hotel.
7

8 69. Prior to the trafficking of Plaintiff, voluminous data, step-by-step solutions and well-
9 researched manuals published by anti-trafficking groups were available to Defendant,
10 individually and/or through their actual or apparent agents, servants, employees and/or staff in
11 every position, to help them identify the signs of sex trafficking and stop it.
12

13 70. At all relevant and material times, Defendant had a legally imposed duty to ensure that
14 their subject hotel had taken all appropriate measures to prevent sex trafficking, and/or to timely
15 implement reasonable policies, training, education and security measures to prevent sex
16 trafficking.
17

18 71. At all relevant and material times, the agents and/or employees of Defendant were
19 uniquely situated to identify and report suspicious activity on their hotel properties because from
20 check-in to check-out there were numerous indicators of the subject sex trafficking that was
21 occurring of this Plaintiff at the subject hotel. See e.g. indicators listed in ¶ 132.

22 72. Defendant's agents and/or employees, however, failed to take steps to report the
23 suspicious and obvious trafficking indicators at the subject hotel.
24

25 73. Had Defendant properly trained their staff, agents and/or employees and/or implemented
26 an anti-sex trafficking protocol at this subject hotel and/or provided other reasonable security
27 measures, they would have prevented the trafficking of persons at this subject hotel and in
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1 particular this Plaintiff.

2 74. Signs of sex trafficking at a hotel, and signs which were occurring at Defendant's hotel
3 include, but are not limited to, those "red flags" identified in Count 1 below.

4 75. Defendant, individually and by and through their actual or apparent agents, servants,
5 employees and/or staff, were aware of and/or should have been aware of a number of warning
6 signs at their hotel that indicated the presence of sex trafficking, including but not limited to:
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- 8 a. Persons showing signs of malnourishment, poor hygiene, fatigue, sleep
9 deprivation, untreated illness, injuries, and/or unusual behavior;
- 10 b. Persons lacking freedom of movement or being constantly monitored;
- 11 c. Persons in risqué clothing;
- 12 d. Victim(s) dressed in a sexually explicit manner;
- 13 e. Persons requesting room or housekeeping services (additional towels, new linens,
14 etc.), but routinely denying hotel staff entry into the room;
- 15 f. Hotel guests with few or no personal possessions during check in and within the
16 room;
- 17 g. Sex paraphernalia in rooms (condoms, lubricant, lotion);
- 18 h. Large amounts of e.g. used condoms, empty lube bottles, lingerie, sex toys, bodily
19 fluids on the sheets and towels, and other sex-related items in the hotel rooms;
- 20 i. Payments for the rooms in cash, or cash substitutes such as a prepaid credit card;
- 21 j. Victim(s) and/or Plaintiff's physical appearance (malnourished, bruised, beaten,
22 drugged, and inappropriate attire);
- 23 k. A continuous procession of men (sex buyers and/or "Johns") entering and leaving
24 Plaintiff's and/or victim(s)' room;
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- 1 l. Excessive requests for sheets, cleaning supplies, towels, and room service;
- 2 m. Red flags identified in Count 1 below; and
- 3 n. Other red flags that Defendant knew and/or should have known of.

4 76. Defendant could have and should have adopted policies and procedures related to sex
5 trafficking and made anti-sex trafficking resources readily available to their actual or apparent
6 agents, servants, employees and/or staff, but, upon information and belief, they did not.

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8 77. Defendant could have and should have mandated that all of their actual or apparent agents,
9 servants, franchisees, employees and/or staff complete anti-sex trafficking training, but, upon
10 information and belief, they did not properly do so.

11 78. Defendant could have and should have encouraged all of their actual or apparent agents,
12 servants, staff, employees and/or staff to report suspected incidents of sex trafficking when
13 observed at the subject hotel, but, upon information and belief, they did not.

14 79. Defendant could have and should have developed and maintained relationships with law
15 enforcement regarding appropriate and timely responses to suspected incidents of sex trafficking
16 at the subject hotel, but, upon information and belief, they did not.

17 80. Defendant could have and should have posted anti-sex trafficking awareness and
18 informational materials in common areas and guest rooms at the subject hotel, to help eliminate
19 sex trafficking, but, upon information and belief, they did not properly do so.

20 81. Defendant failed to take effective preventative measure at the subject hotel, in spite of
21 the indicia of sex trafficking and effective preventative measures being widely known and
22 available to them; they simply elected not to properly engage in preventative policies and
23 practices.

24 82. The motivation behind Defendant's ongoing willful blindness and ongoing failure to act
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1 was, in whole or in part, for Defendant's financial benefit.

2 83. By repeatedly failing to heed the call or repeatedly failing to execute their own policies,
3 Defendant facilitated the sexual trafficking crimes at the subject hotel and in particular the
4 victimization of this Plaintiff.

5 84. Due to Defendant's actions, failures to act, and/or omissions, Defendant facilitated and
6 enabled sex trafficker(s) to use the subject hotel for sex trafficking of women and this particular
7 Plaintiff.
8

9 85. Defendant's failure to prevent and stop sex trafficking and sexual exploitation at the
10 subject hotel, makes them accountable to victims of sex trafficking, including the Plaintiff.
11

12 **B. THE SEX TRAFFICKING OF PLAINTIFF AT THE SUBJECT HOTEL**

13 86. Pertaining to this Defendant, during 2012 and up to and inclusive of 2015, Plaintiff
14 was sex trafficked at the subject hotel by her trafficker(s).

15 87. At all relevant and material times to this Complaint, Defendant, individually and/or
16 by and through their actual or apparent agents, servants, and/or employees, rented rooms at the
17 subject hotel to Plaintiff's sex trafficker(s) and Defendant financially benefitted from same.
18

19 88. At all times material to this Complaint, Defendant received monetary payment for
20 the rental of rooms at the subject hotel, including the room(s) where Plaintiff was being
21 trafficked.

22 89. Plaintiff was forced to engage in sexual activities within and on the premises of the
23 subject hotel, including within the rooms rented to and/or by Plaintiff's trafficker(s), that was
24 at all relevant times owned, operated, managed, supervised, controlled by Defendant. Force
25 means any form of violence compulsion or restraint exercised upon or against a person. Force
26 can also effected through power or pressure which need not necessitate physical components.
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1 90. As it pertains to this Defendant, Plaintiff performed numerous commercial sex acts
2 per day while at the subject hotel.

3 91. Upon information and belief, while at the subject hotel, Plaintiff was forced to engage
4 in frequent use of drugs and/or alcohol and would exhibit behavior consistent with someone
5 who was under the influence, or near overdose, of same.

6 92. Defendant, individually and/ or by their actual or apparent agents, servants, staff
7 and/or employees, knew or had constructive knowledge, that they were renting or otherwise
8 providing rooms and services to individuals, such as Plaintiff's sex trafficker(s), who were
9 engaged in the commercial sex trade.
10

11 93. Defendant, individually and/or by their actual or apparent agents, servants, and/or
12 employees, knew or should have known of suspicious activity occurring at the subject hotel
13 and that by failing to inspect and make their hotel premises safe from criminal activity, it was
14 foreseeable that illegal activity was, and would continue to be, carried out on their hotel
15 premises.
16

17 94. It follows then that Defendant could reasonably foresee that sex crimes, human
18 trafficking or other foreseeable acts were occurring on their premises and/or were being
19 committed against hotel guests, such as Plaintiff.
20

21 95. Moreover, Defendant's agents, servants, staff and employees observed Plaintiff and
22 had knowledge, or should have had knowledge, that Plaintiff was staying at the hotel for an
23 extended period of time to carry out sex trafficking.
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25 96. At all relevant and material times, Defendant, individually and/or by and through their
26 actual or apparent agents, servants, staff and/or employees, was uniquely positioned to observe
27 the manifestations or indications of sex trafficking within the subject hotel.
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1 97. Had the subject hotel staff been properly trained by Defendant and/or anyone acting on
2 their behalf regarding the obvious and overt signs of sex trafficking, they would have observed
3 the obvious and overt signs of sex trafficking at the subject hotel, including as they applied to
4 Plaintiff, and these signs would have been recognized and, therefore, reported.

5 98. Defendant exercised or had the right to exercise control over business operations,
6 management, supervision, administration, and procedures of the subject hotel.

7 99. Defendant failed to implement and enforce their own policy or policies and protect
8 Plaintiff from being sex trafficked.

9 100. Defendants knew or should have known that the subject hotel where Plaintiff was
10 trafficked was an area known for incidences of crime and prone to sex trafficking activity on and
11 around the subject hotel premises, including when Plaintiff was trafficked.

12 101. Despite having evidence of sex trafficking that occurred at the subject hotel, Defendant
13 failed to stop these actions.

14 102. Defendants could have prevented sex trafficking, including but not limited to, by: (i)
15 distributing information to assist their agents, employees, staff in identifying sex trafficking and
16 indications of an illegal enterprise or suspicious activity; (ii) posting notices on what is sex
17 trafficking and a national hotline; (iii) providing a process for reporting and escalating sex
18 trafficking concerns within the organization, and to appropriate outside agencies; (iv) requiring all
19 employees to attend training related to handling a situation involving sex trafficking; (v)
20 providing new hire orientation on anti-sex trafficking measures, corporate responsibility and
21 whistleblowing of enablers; (vi) providing training and education to their staff through webinars,
22 seminars, conferences, and online portals on how to respond to suspected sex traffickers, victims
23 and suspicious activity; (vii) developing and holding ongoing training sessions on sex trafficking;
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1 or providing checklists, escalation protocols and information to property management staff; or
2 tracking performance indicators and key metrics on human trafficking prevention; (viii) providing
3 steps they can take to deter traffickers and decline forms of bribery; and (ix) ensuring strict
4 security protocols, credit cards only, and no loitering.

5 103. Defendants failed to take adequate steps to prevent sex trafficking at the subject hotel
6 where Plaintiff was trafficked, including the years as a minor child.

7 104. The acts and/or omissions of Defendant served to support, facilitate, harbor, and
8 otherwise further the traffickers' sale and victimization of Plaintiff, as both a minor child and as
9 an adult, and others, for commercial sexual exploitation by repeatedly renting rooms to people
10 they knew or should have known were engaged in sex trafficking and in particular this Plaintiff.
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13 **C. DEFENDANT KNOWINGLY BENEFITTED FROM PLAINTIFF'S SEX**
14 **TRAFFICKING**

15 105. At all relevant and material times, Defendant received money and financially profited
16 from the forced commercial sex acts being performed by Plaintiff that were being carried out
17 on the premises of the subject hotel.

18 106. Defendant knew or should have known that they were financially profiting from the
19 continuation of illegal commercial sex acts committed on the premises of the subject hotel
20 through both renting of rooms and provision of the Plaintiff's forced commercial sex services.

21 107. Despite knowledge, constructive knowledge and/or general awareness of the signs of
22 sex trafficking, Defendant, individually and/or by and through their actual or apparent agents,
23 servants, staff, and/or employees, failed to report to authorities, intervene, disrupt, refuse or
24 otherwise stop the sex trafficking of Plaintiff.
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1 108. By harboring Plaintiff's sex trafficker(s) and their sex trafficked victims at the subject
2 hotel, Defendant, individually and/or by and through their actual or apparent agents, servants,
3 staff, and/or employees, continued to financially profit from the room occupancy derived from not
4 reporting and not refusing the sex trafficking of Plaintiff.

5 109. Accordingly, Defendant continued to financially profit from the room occupancy derived
6 from not protecting their hotel guests, to wit Plaintiff, from being a continuous victim of sex
7 trafficking from the time she was a minor child through adulthood.
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9 **D. DEFENDANT'S WILLFUL BLINDNESS TO SEX TRAFFICKING AT THEIR**
10 **HOTEL**
11

12 110. Plaintiff was a hotel guest at the subject hotel and Plaintiff was seriously and permanently
13 injured as a direct result of the Defendant's acts and omissions, in that Defendant permitted,
14 harbored and facilitated illegal sex trafficking to take place at the subject hotel whereby the
15 Plaintiff was coerced and forced to engage in sex, beaten, manipulated with drugs and enslaved.
16

17 111. More specifically, at all material times, in the quest for profits, the acts and/or omissions
18 of Defendant caused Plaintiff to suffer physical, mental and emotional injuries and conscious pain
19 and suffering.

20 112. The injuries and/or harms that Plaintiff suffered as a result of Defendant's negligent
21 operation of the subject hotel and Defendant's failure to make the hotel premises safe, are of a
22 permanent and/or continuing nature.
23

24 113. Defendant, as hotel operators, owners, franchisee, supervisors and controllers, had a
25 continuing legal duty to protect their hotel guests and other invitees, like Plaintiff, to use
26 ordinary care to keep their hotel premises in a reasonably safe condition, and to protect their
27
28

1 guests, such as Plaintiff, from harm due to reasonably foreseeable risks of injury, regardless
2 if the guests were utilizing the hotel's common rooms, facilities, exterior passageways, or
3 were within the confines of the rented rooms.

4 114. Defendant failed in their duties to Plaintiff to provide security and other precautions to
5 prevent the criminal acts upon her by third parties on a regular basis.

6 115. Defendant should have taken steps to prevent sex trafficking at the subject hotel in
7 accordance with applicable Federal, State and local laws and guidelines.

8 116. Accordingly, because sex trafficking and other illegal activity associated therewith was
9 foreseeable, Defendant had a duty to take adequate security or remedial measures to protect their
10 guests from criminal activity, to wit, the.

11 117. By failing to act, Defendant, by and through their actual or apparent agents, servants,
12 franchisees and/or employees, allowed Plaintiff to be harbored and confined for sexual acts while
13 collecting rental fees thereon.

14 118. As a further direct and proximate result of Defendant's conduct and lack of due and
15 reasonable care, Plaintiff has incurred expenses, fees, and costs of medical care and attention
16 to her injuries, including: (1) physicians' fees; (2) medications and medical supplies; (3)
17 hospitalizations; and (4) transportation costs to and from various physicians' offices and
18 hospitals.

19 119. As a further direct and proximate result of Defendant's conduct and lack of due and
20 reasonable care, Plaintiff has suffered great physical and mental pain, and will continue to
21 suffer such pain for the indefinite future, for which Plaintiff should also be compensated by
22 Defendant.

CAUSES OF ACTION

A. COUNT I - VIOLATION OF 18 U.S.C. § 1595 (“TVPRA”)

120. Plaintiff sets forth an action for violation of 18 U.S.C § 1595 as against the above captioned Defendant.

121. In support of her action against Defendant, Plaintiff adopts and incorporates by reference all paragraphs contained in this Complaint as if fully set forth herein.

122. Plaintiff is a “victim” of sex trafficking as protected under applicable provisions of the TVPRA.

123. As it pertains to this Defendant, Plaintiff was sex trafficked at the subject hotel located at 2165 E Lincoln Hwy, Lancaster, PA 17602 during 2012 and inclusive of 2015.

124. Plaintiff was sex trafficked at the subject hotel when she was a minor child and continued into adulthood.

125. 18 U.S.C. § 1591 of the TVPRA criminalizes sex trafficking in which the person induced to person such commercial sex act has not attained 18 years of age.

126. Section 1591 of the TVPRA criminalizes sex trafficking of adults by force, fraud or coercion. *See* 18 U.S.C. § 1591. Separately, §1595 of the TVPRA provides individuals who are victims of sex trafficking with a civil remedy against the traffickers and/or the beneficiaries of the sex trafficking ventures. *See* 18 U.S.C. §1595(a). More specifically, §1595 provides for three distinct causes of action: (1) a claim against the trafficker who directly violated §1591(a)(1) – a criminal statute; (2) a beneficiary claim against the trafficker who directly violated §1591(a)(2) – a criminal statute; and (3) a beneficiary claim against a civil Defendant who did not violate §1591, but who “knowingly benefit[ed], financially or by receiving anything of value from

1 participation in a venture which that person knew or should have known has engaged in an act
2 in violation of this chapter.” 18 U.S.C. § 1595(a).

3 127. In this matter, Plaintiff was a victim of sex trafficking on the premises of the subject
4 hotel.

5
6 128. Defendant rented room(s) to individual(s) it knew or should have known were
7 engaged in sex trafficking of both minor children and adult women and Plaintiff, as both a minor
8 child and an adult, in particular.

9
10 129. Defendant knowingly benefitted financially or by receiving anything of value from
11 participation in a venture which said Defendant knew or should have known has engaged in an
12 act in violation of this chapter.

13
14 130. As to Plaintiff’s TVPRA action as against the above captioned Defendant, Plaintiff is
15 a victim of sex trafficking within the meaning of 18 U.S.C. § 1591 and is therefore entitled to
16 bring a civil action under 18 U.S.C. § 1595 against any individual or entity who knowingly
17 benefits, financially or by receiving anything of value from participation in a venture which that
18 entity or person knew or should have known has engaged in violations of the TVPRA.

19
20 131. Defendant participated in a venture by operating the subject hotel that rented rooms
21 to individuals that Defendant knew or should have known were involved in sex-trafficking
22 pertaining to Plaintiff.

23
24 132. The rental of a hotel room constitutes a financial benefit from a relationship with the
25 trafficker sufficient to meet “financially benefitted” element of the §1595(a) standard.

26 133. Defendant knowingly benefitted from the sex trafficking of Plaintiff at the subject
27 hotel by receiving payment for the room(s) rented for Plaintiff and her trafficker(s) at the subject
28

1 hotel. In addition, Defendant received other financial benefits including but not limited to food
2 and beverage sales and ATM fees from those persons who were engaging in sex trafficking.

3 134. Defendant knew or should have known about the nature of the sex trafficking
4 occurring at the subject hotel, including as they related to Plaintiff due to the many red flags
5 then and there existing, including but not limited to:
6

- 7 a. Constant foot traffic of “Johns” to the trafficker’s room to have sex with trafficked
8 women.
- 9 b. Parade of unregistered and suspicious individuals in and out of the subject room(s)
10 where trafficking was occurring.
- 11 c. Suspicious people coming in and out of the rented room(s).
- 12 d. Trafficked victim(s) would walk around hotel grounds drug and/or alcohol
13 impaired, sleep impaired, hygiene impaired, behavior impaired, with bruises, and
14 malnourished and in sexually explicit clothing.
- 15 e. The trafficked drug impaired women on the hotel premises.
- 16 f. The trafficked alcohol impaired women on the hotel premises.
- 17 g. The trafficked behavior impaired women on the hotel premises.
- 18 h. The trafficked speech impaired women on the hotel premises.
- 19 i. The trafficked hygiene impaired women on the hotel premises.
- 20 j. The trafficked women with visible bruises (from being hit by traffickers) on the
21 hotel premises.
- 22 k. The trafficker(s), trafficker’s entourage, and trafficked women and children
23 standing outside the room when a “John” came to the room. (When the room was
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1 not occupied by a paying “John” the room was full of suspicious people including
2 the trafficker(s), the traffickers’ entourage, and the trafficked women and children.
3 When a “John” would come to the room, everyone but the “John” and the trafficked
4 woman and children would leave the room, so there would be a number of people
5 including drug impaired, behavior impaired, hygiene impaired, speech impaired,
6 sleep deprived, malnourished, with bruises loitering outside the room.
7

- 8 l. Inside the hotel room there was a suspicious bunch of people and suspicious items
9 including weapons, cash, phones, drugs, drug paraphernalia, condoms, lubricants,
10 lingerie, and syringes.
11
12 m. Smoking cigarettes and drugs in room made noticeable odor which would permeate
13 outside room.
14
15 n. The activity of these suspicious looking people was not limited to inside the rented
16 room and directly outside the room but also throughout the accessible common
17 areas and public areas of the subject hotel.
18
19 o. Trafficker(s) speaking to women or children in aggressive/abusive manner – which
20 should have raised alarms.
21
22 p. Staying at hotel with no luggage/suitcases or few personal belongings
23
24 q. Plaintiff’s trafficker(s) was a pimp and his general conduct on hotel grounds was
25 not discreet. As Plaintiff’s trafficker(s) was frequently on drugs and exhibited
26 violent and aggressive behavior.
27
28 r. Trafficker(s) monitoring hotel hallway or door of room or walking hotel perimeter.
s. Underage victim(s) being trafficked on premises in an overt manner.
t. Other commonly known sex trafficking red flags which the above captioned

1 Defendant would have been aware of had anti-trafficking measures been timely and
2 properly implemented at the hotel.

3 135. Defendant was participating in a venture under 18 U.S.C. § 1595(a) by engaging in a
4 pattern of acts and omissions that were intended to support, facilitate, harbor, and otherwise
5 further the traffickers' sale and victimization of Plaintiff for commercial sexual exploitation by
6 repeatedly renting room(s) at subject hotel to people Defendant knew or should have known
7 were engaged in sex trafficking.
8

9 136. Defendant actively participated in this illegal endeavor by knowingly or negligently
10 providing lodging in which to harbor Plaintiff while she was being trafficked.
11

12 137. Plaintiff was forced to perform commercial sex acts in the room(s) at the subject hotel.
13 Accordingly, the traffic and parade of men coming in and out of her room was tremendous. This
14 procession of unregistered male guests would have been open and obvious to anyone working
15 at the subject hotel.
16

17 138. Moreover, this traffic of men and unregistered guests coming in and out of the room
18 of and/or with a minor child would cause alarm to any observing individual.
19

20 139. Plaintiff was sold via commercial sex transactions at the Defendant's subject hotel
21 property, where force, fraud, and/or coercion were used against her, while Defendant turned a
22 blind eye and continued to benefit.

23 140. Defendant profited from the sex trafficking of Plaintiff and knowingly or negligently
24 aided, enabled, and facilitated the sex trafficking of Plaintiff. Defendant rented rooms to
25 Plaintiff's trafficker(s) when they knew, or should have known, that her trafficker(s) was using
26 their room to subject Plaintiff to repeat sexual exploitation and sexual servitude.
27
28

1 141. Defendant's failure, by its agents, servants, staff, and employees, to timely and
2 properly prevent the sex trafficking or timely intervene regarding same was a proximate and
3 competent cause and substantial factor in causing Plaintiff's severe injuries in this case including
4 but not limited to being the victim of sex trafficking when at this subject hotel and suffering
5 personal injury and the trauma physically and mentally of being induced to engage in
6 commercial sex with multiple "Johns" per day while simultaneously being under fear of severe
7 harm or death if she did not comply as well as all residual injuries suffered by her including her
8 causally related PTSD.
9

10 142. Upon information and belief, Plaintiff was advertised for sex on websites known for
11 trafficking, whereby Defendants provided open access to these known websites permitting
12 traffickers and buyers to enable, facilitate, and otherwise assist in the harboring of Plaintiff for
13 the purpose of sex trafficking.
14

15 143. Plaintiff being sex trafficked at this subject hotel was a proximate cause, competent
16 cause and substantial factor in causing her severe and permanent injuries including but not
17 limited to personal injuries and significant levels of psychological trauma due to the levels of
18 abuse she was caused to endure during the time she was trafficked. This trauma led to depression,
19 anxiety disorders, and PTSD, which in turn affects daily functioning
20

21 144. As a direct and proximate result of Defendants' multiple failures to act, mandate,
22 establish, execute anti-trafficking measures and/or modify their anti-trafficking efforts at their
23 hotel property, Plaintiff was sex trafficked, sexually exploited, and victimized repeatedly at
24 Defendant's hotel beginning when she was a child and continuing into adulthood.
25

26 145. As a consequence of being sex trafficked at the subject hotel, Plaintiff suffered and
27
28

1 will continue to suffer substantial economic, physical, mental, emotional, psychiatric,
2 psychological injuries as the result of being trafficked and sexually exploited at the subject hotel
3 in violation of 18 U.S.C. §1591.

4 **B. COUNT 2 – NEGLIGENCE, GROSS NEGLIGENCE, AND/OR**
5 **RECKLESSNESS**
6

7 146. Plaintiff sets forth an action for Negligence, Gross Negligence, and/or Recklessness
8 against the above captioned Defendant.

9 147. In support of her action against Defendant, Plaintiff adopts and incorporates by
10 reference all paragraphs contained in this Complaint as if fully set forth herein.
11

12 148. At all times relevant, Defendant owed a duty to protect Plaintiff as set forth at length
13 below and herein.

14 149. Defendant violated its duty to Plaintiff and was negligent, careless, and/or reckless as
15 set forth at length below and herein.
16

17 150. Due to the negligence of this Defendant, Plaintiff was caused to be sexually exploited,
18 sexually abused, and sex trafficked on the subject hotel's premises both as a minor child and as
19 an adult during the years 2012 up to and inclusive of 2015.
20

21 151. At all times material to this complaint, Plaintiff, while an invitee or otherwise present
22 upon the premises of the subject hotel, did sustain injuries as a result of this Defendant and the
23 criminal activity carried on at the subject hotel enabled by the negligence of Defendant.
24

25 152. Defendant, individually and/or by and through its agents, servants, and/or employees,
26 was under a duty to provide reasonable, adequate, and sufficient security personnel and/or to
27 otherwise take appropriate steps to ensure the safety and protection of persons, (both minors and
28

adults), lawfully on the premises of the subject hotel and Plaintiff in particular.

153. Defendant, individually and/or by and through its agents, servants, and/or employees, should have reasonably anticipated criminal conduct, and, in particular, sex trafficking and sexual exploitation of minors and adults and Plaintiff herein, by third parties, including other guests, invitees or persons at the subject hotel.

154. Defendant, individually and/or by and through its agents, servants, and/or employees, had a duty to take precautions against reasonably anticipated criminal conduct and, in particular, sex trafficking and sexual exploitation of minors and adults and the Plaintiff herein, by third parties and to operate the subject hotel in a manner that did not endanger children or adults, including Plaintiff who suffered both as a minor and adult at this particular hotel. Moreover, Defendant had a duty of care to take reasonable steps to protect foreseeable victims of the dangers created by their acts and omissions, including the danger of sex trafficking and sexual exploitation on the premises at the subject hotel and in particular to Plaintiff herein.

155. Defendant, individually and/or by and through its agents, servants, and/or employees, breached the foregoing duties because they knew, or should have known, that persons lawfully on the premises and the subject hotel, such as Plaintiff, could have been victimized by, or subjected to, criminal activities, including, but not limited to, sex trafficking, sex abuse, and sexual exploitation, on the premises that would likely endanger her/their health, safety, and/or well-being. Moreover, Defendant breached its duty of care because they knew, or should have known, that adults working as sex traffickers were causing, by any means, persons, including Plaintiff and others, to be sexually exploited and trafficked at the subject hotel.

156. Defendant, individually and/or by and through its agents, servants, and/or employees,

1 should have reasonably anticipated that it was reasonably foreseeable from their knowledge
2 and/or past experiences and from information well known within the hotel industry in general,
3 that persons on the premises of the subject hotel, such as but not limited to Plaintiff, would be
4 sex trafficked and sexually exploited and thereby suffer serious bodily and mental harm as a
5 result of being sexually victimized by violent crimes perpetrated by third parties on the premises
6 of the subject hotel.
7

8 157. Defendant, violated its duty(ies) and was negligent, careless, and/or reckless
9 individually and/or by and through its agents, servants, and/or employees including but not
10 limited to the following ways:
11

- 12 a. Failing to execute and/or implement the established security plan and/or execute
13 and/or implement any established security plan;
- 14 b. Failure to publish and/or post orders at the security posts providing protocols for
15 employees to follow in circumstances involving commercial sexual activity and/or
16 human sex trafficking;
- 17 c. Failing to adopt, establish, implement, and/or enforce required policies,
18 procedures, rules, regulations and/or guidelines concerning protection of
19 individuals lawfully on the premises;
20
- 21 d. Failing to adopt, establish, implement, and/or enforce required policies,
22 procedures, rules, regulations and/or guidelines concerning removal from the
23 premises of individuals posing security threats;
24
- 25 e. Failing to adequately control access to the premises;
- 26 f. Failing to prevent entry of unauthorized individuals onto the premises;
27
28

- g. Failing to properly and adequately hire, train and provide ongoing training to employees including but not limited to ongoing training involving recognizing, preventing and responding to criminal activity, prostitution and sex trafficking;
- h. Failing to select and/or retain only personnel competent to provide proper and adequate professional services;
- i. Failing to assign experienced security personnel to provide competent guard services at the subject hotel;
- j. Failing to adopt, establish, implement, execute and/or enforce required policies, procedures, rules, regulations and/or guidelines concerning protection of business invitees on the premises of the subject hotel;
- k. Failing to adopt, establish, implement, execute and/or enforce required policies, procedures, rules, regulations, and/or guidelines concerning proper security measures in a hotel setting;
- l. Failing to adopt, establish, implement, execute and/or enforce required policies, procedures, rules, regulations, and/or guidelines concerning proper monitoring, surveillance, and patrolling of the premises;
- m. Failing to detect and respond to commercial sex activity and human sex trafficking at the subject hotel;
- n. Failing to conduct adequate surveillance of the premises of the subject hotel;
- o. Failing to utilize surveillance equipment to monitor suspicious activity and promptly react thereto for the safety of Plaintiff;

- p. Failing to respond and react to suspicious activity detected on video surveillance;
- q. Failing to maintain surveillance equipment in proper working order;
- r. Failing to test or properly test surveillance equipment to ensure it was in working order;
- s. Failing to utilize appropriate and/or required surveillance equipment;
- t. Failing to adequately monitor activity on video surveillance and promptly react thereto for the safety of Plaintiff;
- u. Allowing individuals to come on to the premises for the express purpose of trafficking Plaintiff;
- v. Failing to prevent Plaintiff from being trafficked on the premises;
- w. Failure to monitor and make necessary changes to WIFI to prevent same from being used to conduct criminal activities on premises;
- x. Breaching its duties under the Restatement of the Law of Torts [Second], including but not limited to §§ 302, 318, 321, 323, 324A, and 344; and
- y. Failing to exercise care, caution, and diligence required under the circumstances.

158. By renting rooms to Plaintiff's sex traffickers, Defendant, individually and/or by and through its actual or apparent agents, servants and employees, breached the standard of good and prudent care by not reporting, intervening, disrupting or otherwise stopping the practice of traffickers committing commercial sex acts.

159. Defendant was negligent, careless, and/or reckless by failing to establish and/or implement anti-trafficking policy and protocol at the subject hotel.

1 160. Defendant was negligent, careless, and/or reckless by failing to establish and/or
2 implement End Child Prostitution and Trafficking (ECPAT) policy and protocol at the subject
3 hotel.

4 161. Defendant knew or should have known about the nature of the sex trafficking, sexual
5 exploitation and sex abuse occurring at the subject hotel, including as they related to Plaintiff,
6 as both a minor and later as an adult, due to the many red flags then and there existing, including
7 but not limited to:
8

- 9 a. Constant foot traffic of “Johns” to the trafficker’s room to have sex with trafficked
10 women and children.
- 11 b. Parade of unregistered and suspicious individuals in and out of the subject room(s)
12 where trafficking was occurring.
- 13 c. Suspicious people coming in and out of the rented room(s).
- 14 d. Trafficked victim(s), including minor children, would walk around hotel grounds
15 drug and/or alcohol impaired, sleep impaired, hygiene impaired, behavior
16 impaired, with bruises, and malnourished and in sexually explicit clothing.
- 17 e. The trafficked drug impaired women and/or children on the hotel premises.
- 18 f. The trafficked alcohol impaired women and/or children on the hotel premises.
- 19 g. The trafficked behavior impaired women and/or children on the hotel premises.
- 20 h. The trafficked speech impaired women and/or children on the hotel premises.
- 21 i. The trafficked hygiene impaired women and/or children on the hotel premises.
- 22 j. The trafficked women and/or children with visible bruises (from being hit by
23 traffickers) on the hotel premises.
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- 1 k. The trafficker(s), trafficker's entourage, and trafficked women and/or children
2 standing outside the room when a "John" came to the room. (When the room was
3 not occupied by a paying "John" the room was full of suspicious people including
4 the trafficker(s), the traffickers' entourage, and the trafficked women and/or
5 children. When a "John" would come to the room, everyone but the "John" and the
6 trafficked woman and/or children would leave the room, so there would be a
7 number of adults and children including those who were obviously drug impaired,
8 behavior impaired, hygiene impaired, speech impaired, sleep deprived,
9 malnourished, and with visible bruises and injuries loitering outside the room.
10
11 l. Inside the hotel room there was a suspicious bunch of people and suspicious items
12 including weapons, cash, phones, drugs, drug paraphernalia, condoms, lubricants,
13 lingerie, and syringes.
14
15 m. Smoking cigarettes and drugs in room made noticeable odor which would permeate
16 outside room.
17
18 n. The activity of these suspicious looking people was not limited to inside the rented
19 room and directly outside the room but also throughout the accessible common
20 areas and public areas of the subject hotel.
21
22 o. Trafficker(s) speaking to women and/or children in aggressive/abusive manner –
23 which should have raised alarms.
24
25 p. Staying at hotel with no luggage/suitcases or few personal belongings
26
27 q. Plaintiff's trafficker(s) was a pimp and his general conduct on hotel grounds was
28 not discreet. As Plaintiff's trafficker(s) was frequently on drugs and exhibited
violent and aggressive behavior.

1 r. Trafficker(s) monitoring hotel hallway or door of room or walking hotel perimeter.

2 s. Other commonly known sex trafficking red flags which the above captioned

3 Defendant would have been aware of had anti-trafficking and EPCAT measures

4 been timely and properly implemented at the hotel.

5
6 162. As a result of Defendant's negligence, Plaintiff was caused to suffer physical harm,
7 mental anguish, humiliation, exploitation, degradation, mental distress, loss of the enjoyments
8 of life and loss of life's pleasures both in the past and in the future.

9
10 163. As a result of the Defendant's negligence, Defendant breached its duty to Plaintiff in
11 not reporting, intervening, disrupting or otherwise stopping sex trafficking occurring at the
12 subject hotel.

13 164. As a direct and proximate result of the aforementioned negligent acts, omissions,
14 and/or commissions by the Defendant, Plaintiff was repeatedly and consistently sexually
15 exploited, sexually abused and sex trafficked as a minor child at the subject hotel and was otherwise
16 irreparably injured, both physically and psychologically due to same.

17
18 165. As a direct and proximate result of the aforementioned negligent acts, omissions,
19 and/or commissions by the Defendant, Plaintiff was repeatedly and consistently sexually
20 exploited, sexually abused and sex trafficked as an adult at the subject hotel and was otherwise
21 irreparably injured, both physically and psychologically due to same.

22
23 166. Defendant acted outrageously and in reckless disregard for the health and welfare of
24 Plaintiff warranting the imposition of punitive damages.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant for more than \$75,000, as identified in each of the above-referenced claim(s) and Count(s) and as follows:

- a) All available compensatory damages for the described losses with respect to each cause of action;
- b) Past and future medical expenses, as well as the costs associated with past and future life care;
- c) Past and future lost wages and loss of earning capacity;
- d) Past and future emotional distress;
- e) Consequential and/or special damages;
- f) All available noneconomic damages, including without limitation pain, suffering, and loss of enjoyment of life;
- g) Disgorgement of profits obtained through unjust enrichment;
- h) Restitution;
- i) Reasonable and recoverable attorney's fees;
- j) Punitive damages with respect to each cause of action;
- k) Costs of this action; and
- l) Pre-judgement and all other interest recoverable.

THE PLAINTIFF DEMANDS A TRIAL BY JURY

1 Dated: May 8, 2023

2 **RESPECTFULLY SUBMITTED,**

3 /s/*Renee E. Franchi*, Esq.

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11 *s/ Randolph Janis*

12 Randolph Janis, Esq. application to be made for *Pro Hac Vice*
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